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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/729,552	
	Filing Date	December 5, 2003	
	First Named Inventor	Mark E. Deem	
	Art Unit	3734	
	Examiner Name	Michael T. Andersen	
Total Number of Pages in This Submission	5+	Attorney Docket Number	SATTY 69243 (2.04)

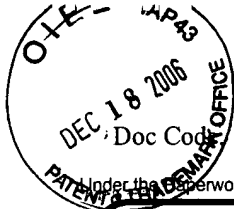
ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
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<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Fulwider Patton LLP		
Signature			
Printed name	Douglas R. Peterson		
Date	December 14, 2006	Reg. No.	53,458

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I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the			
Signature			
Typed or printed name	Douglas R. Peterson	Date	December 14, 2006

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<b>FEE TRANSMITTAL for FY 2006</b>		<b>Complete if Known</b>	
		Application Number	10/729,552
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Filing Date	December 5, 2003
TOTAL AMOUNT OF PAYMENT (\$)		First Named Inventor	Deem
		Examiner Name	Michael T. Andersen
		Art Unit	3734
		Attorney Docket No.	SATTY-69243

**METHOD OF PAYMENT** (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_

☐ Deposit      Deposit Account Number: 06-2425      Deposit Account Name: Fulwider Patton

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

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**FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)**

**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid(\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
- 20 or HP =	x	\$25.00	= \$0.00

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
- 3 or HP =	x	\$100.00	= \$0.00

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listing under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	0	0 (round up to a whole)	x \$125.00	= \$0.00

**4. OTHER FEE(S)**

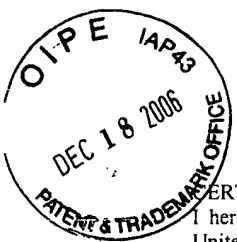
Non-English specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): \_\_\_\_\_

<b>SUBMITTED BY</b>					
Signature		Registration No. (Attorney/Agent)	53,458	Telephone	310-824-5555
Name (Print/Type)	Douglas R. Peterson			Date	December 14, 2006

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CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

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Douglas R. Peterson  
Douglas R. Peterson, Registration No. 53,458

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/729,552  
Applicant : Mark E. Deem, Douglas S. Sutton, Hanson S. Gifford III,  
Bernard H. Andreas, Ronald G. French  
Filed : December 5, 2003  
Art Unit : 3734  
Examiner : Michael T. Andersen  
Title : OBESITY TREATMENT TOOLS AND METHODS  
Confirmation No.: : 4326  
  
Docket No.: : SATTY 69243 (2.04)  
Customer No. : 24201

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE

Dear Sir:

In response to the Office action mailed September 14, 2006, the response for which is due December 14, 2006, please consider the remarks in connection with the above-identified pending patent application.

Claims start on page 2.

Remarks start on page 5.